

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RANDY SMITH, as next friend of
MALIK TREVON SMITH, a minor
DALLAS SCHUBERT as next friend
of EMMA SCHUBERT, a minor,
JOYCE ROPER, as next friend of
GRAHAM ROPER BALL, a minor,
MELODY WOLFE, as next friend of
CARVER WOLFE, a minor,
RENEE BOYLE, as next friend of
KYLIE ANN BOYLE, a minor,
SADIGOH GALLOWAY, as next friend
of ZEPHANIA GALLOWAY, a minor,
and BERNIE 2016, INC.,

Plaintiffs

v.

JON HUSTED, individually and in
his official capacity as Secretary of
State of the State of Ohio,

Defendant.

Case No. 2:16-cv-00212

**DECLARATION OF JASON BEEHLER
IN SUPPORT OF PLAINTIFFS’
MOTION FOR A TEMPORARY
RESTRAINING ORDER**

I, Jason Beehler, hereby declare:

1. I am an attorney with the law firm of Kegler, Brown, Hill & Ritter, counsel to all Plaintiffs in the above-captioned lawsuit. I respectfully submit this declaration in support of Plaintiffs’ motion (the “Motion”)for a temporary restraining order to prevent Defendant from barring 17-year-olds who will be 18 years of age by the time of the November 8, 2016 general election (“Threshold Voters”) from voting in the presidential primaries next Tuesday, March 15, 2016.
2. The purpose of this declaration is to attach and collate documentary evidence in support of Plaintiff’s Motion.

3. Annexed hereto as “Exhibit 1” is a true and correct copy of the April 26, 2002 decision of the Court of Appeal of Ohio for the Seventh District, Mahoning County, in *State ex rel. Miller* (2002-Ohio-2072) (the “2002 Decision”).

4. Annexed hereto as “Exhibit 2” is a true and correct copy of a Poll Worker Manual issued by the Cuyahoga County Board of Elections on or about May 8, 2007 (the “2007 Manual”).

5. Annexed hereto as “Exhibit 3” is Directive 2008-22 of the Ohio Secretary of State, issued on February 5, 2008 by former Ohio Secretary of State Jennifer Brunner (the “Prior Directive”).

6. Annexed hereto as “Exhibit 4” are bookmarks published in or around January, 2009 by former Secretary of State Brunner in connection the State’s “Vote @ 17” initiative (the “Vote at 17 Bookmarks”).

7. Annexed hereto as “Exhibit 5” is a true and correct copy of a Poll Worker Manual published in or around November, 2010 by former Secretary of State Brunner (the “2010 Manual”).

8. Annexed hereto as “Exhibit 6” is a true and correct copy of a Precinct Election Official Manual published in or around March, 2012 by Defendant (the “2012 Manual”).

9. Annexed hereto as “Exhibit 7” is a true and correct copy of a 2015 Election Official Manual published by Defendant in or around December, 2015 (the “2015 Manual”).

10. Annexed hereto as “Exhibit 8” is a true and correct copy of a 2015 Voter Guide published by Defendant for the 2015-16 election cycle.

11. Annexed hereto as “Exhibit 9” are true and correct copies of the certified forms of the official March 15, 2016 Democratic and Republican primary ballots, published by Defendant on December 31, 2015 by way of Secretary of State Directive 2015-42 (the “2016 Primary Ballots”).

12. Annexed hereto as “Exhibit 10” is the sample ballot prepared by Cuyahoga County for the March 15, 2016 Democratic primary election.

13. Annexed hereto as “Exhibit 11” is the sample ballot prepared by Franklin County for the March 15, 2016 Democratic primary election.

14. Annexed hereto as “Exhibit 12” is the sample ballot prepared by Hamilton County for the March 15, 2016 Democratic primary election.

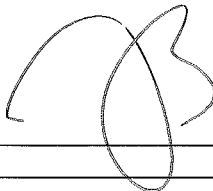
15. Annexed hereto as “Exhibit 13” is the sample ballot prepared by Lake County for the March 15, 2016 Democratic primary election.

16. Annexed hereto as “Exhibit 14” is a true and accurate copy of the Ohio Secretary of State’s 2004 Ohio Presidential Guide, available publicly on the Defendant’s website.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: March 10, 2016.

JASON BEEHLER



A handwritten signature in black ink, appearing to read 'JB', is written over two horizontal lines that serve as a signature line.

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